

**Chapter 20.21****STRUCTURES OF MERIT****Sections:**

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**Section 20.21.010     Structure of merit designation criteria.**

A cultural resource may be designated by the City Council upon the recommendation of the Cultural Heritage Board as a structure of merit, as defined in Section 20.10.010, and pursuant to this title if it:

- A. Represents in its location an established and familiar visual feature of the neighborhood, community or City; or
- B. Materially benefits the historic, architectural or aesthetic character of the neighborhood; or
- C. Is an example of a type of building which was once common but is now rare in its neighborhood, community or area; or
- D. Is connected with a business or use which was once common but is now rare; or
- E. Contributes to an understanding of contextual significance of a neighborhood, community or area. (Ord. 6263 § 1 (part), 1996)

**Section 20.21.020     Structure of merit designation initiation.**

The designation, repeal or modification of a structure of merit may be initiated by the Cultural Heritage Board, the City Council, or by any person, organization or entity. Application shall be made upon such forms and accompanied by such data and information as may be required for that purpose by the Cultural Heritage Board so as to assure the fullest practical presentation of the facts for proper consideration of the request. (Ord. 6263 § 1 (part), 1996)

**Section 20.21.030     Structure of merit designation hearing date.**

Upon the filing of a complete application, the matter shall be set for public hearing before the Cultural Heritage Board at the earliest regularly scheduled meeting. (Ord. 6263 § 1 (part), 1996)

**Section 20.21.040     Structure of merit designation hearing notice.**

Notice of the date, time, place and purpose of the hearing of a structure of merit designation shall be given not less than ten days prior to the date of the Cultural Heritage Board

meeting to the owner(s) of the subject property and to property owners within a three hundred-foot radius of the subject property. When the property being considered is not real property, notice shall be given to both the owner(s) and the person(s) in possession of the real property where the object is situated. The last known name and address of each owner as shown on the records of the County Assessor may be used for this notice. Failure to send any notice by mail to any property owner where the address of such owner is not a matter of public record or nonreceipt of any notice mailed pursuant to this chapter shall not invalidate any proceedings in connection with the proposed designation. (Ord. 6263 § 1 (part), 1996)

**Section 20.21.050 Structure of merit designation hearing.**

A public hearing shall be conducted before the Cultural Heritage Board at the time and place so fixed and noticed. The Board may continue such hearing to a time and place certain when such action is deemed necessary or desirable. The Board may establish rules for the conducting of hearings. The member of the Board presiding at such hearings is empowered to administer oaths to any person testifying. (Ord. 6263 § 1 (part), 1996)

**Section 20.21.060 Structure of merit designation investigation.**

The Cultural Heritage Board shall cause to be made by any of its own members or by the Planning Department such investigation of facts bearing upon such application set for hearing as in the opinion of the Board will serve to provide the necessary information to assure Board action consistent with the intent and purpose of this title. (Ord. 6263 § 1 (part), 1996)

**Section 20.21.070 Structure of merit designation process.**

The Board may recommend to the City Council the designation of a structure of merit, in whole or in part if, based on the criteria set forth in this chapter, and the facts presented in connection with the application. The Council on the recommendation of the Board shall find that the site, landscaping, place, buildings, structure, street, improvement, street furniture, sign, work of art, natural feature or other object has special historical, archaeological, cultural, architectural, community, aesthetic or artistic value in the City and that the purpose of this title is maintained by such designation. (Ord. 6263 § 1 (part), 1996)

**Section 20.21.080 Structure of merit designation resolution.**

A structure of merit shall be designated by a numbered resolution of the City Council, the draft of which shall be reviewed and forwarded to the Council by the Cultural Heritage Board which provides facts and findings based on the criteria for designation as set forth in Section 20.21.010 of this title if the applicant receives the affirmative votes of a majority of the members then present and voting. (Ord. 6263 § 1 (part), 1996)

**Section 20.21.090 Notice of structure of merit designation.**

Notice of the designation of a structure of merit by the City Council shall be transmitted to the departments of Planning, Park and Recreation, Fire, Public Works, and Development, the building division of the Planning Department, the real property services division of the City Manager's Office, the Redevelopment Agency of the City, the Assessor and the Recorder of Riverside County, and any other interested departments and governmental and civic agencies. Each City department and division shall incorporate the notice of designation as a structure of merit into its records, so that future decisions or permissions regarding or affecting any structure of merit made by the City or an official of the City will have been made with the knowledge of the structure of merit designation, and in accordance with the procedures set forth in this title. The City Clerk shall record the resolution in the office of the Riverside County Recorder. (Ord. 6263

§ 1 (part), 1996)

**Section 20.21.100 Appeal of Board's recommendation on application for structure of merit designation.**

Any person aggrieved or affected by a recommendation of the Cultural Heritage Board for the designation, repeal or modification, denial of an application for a structure of merit designation may appeal to the City Council at any time within fifteen calendar days after the date upon which the Cultural Heritage Board announces its decision. An appeal to the City Council shall be taken by filing a letter of appeal, in triplicate, with the Planning Department. Such letter of appeal shall set forth the grounds upon which the appeal is based. Within ten days after the receipt of the letter of appeal, the Planning Department shall transmit to the City Council the letter of appeal, copies of the application and all other papers constituting the record upon which the action of the Board was taken. The City Clerk shall give notice of hearing upon the appeal in the same manner and time as is required in connection with an application before the Cultural Heritage Board as set forth in Section 20.21.040. The date of such hearing upon the appeal shall be not more than thirty days from the date of filing of the appeal. Upon the hearing of such appeal, the City Council shall by resolution affirm, reverse or modify the recommendation of the Board. The provisions of this title regulating structures of merit shall be effective from the date of the initial recommendation on the structure of merit application and shall become final only after City Council action. (Ord. 6263 § 1 (part), 1996)

**Section 20.21.110 Repeal of structure of merit designation.**

The City Council with the recommendation of the Cultural Heritage Board shall consider the repeal of a structure of merit designation in the same manner provided by this chapter for designation of structure of merit if the resource no longer meets the designation criteria found to apply due to the subsequent discovery of substantial information on the significance of the resource or destruction of the resource by a catastrophic event. (Ord. 6263 § 1 (part), 1996)